

Burlington, N. C., charging shipment by said corporation in violation of the Food and Drugs Act as amended, on or about August 9, 1934, from the State of North Carolina into the State of Florida, of a quantity of Old Indian Herb Laxative that was misbranded.

Analysis showed that the article consisted essentially of extracts of plant drugs including aloe, alcohol, and water.

The article was alleged to be misbranded in that statements, borne on the bottle labels and on the enclosing cartons and contained in an accompanying circular, falsely and fraudulently represented that the article was a tonic and blood purifier; was effective to benefit the sick, regardless of what their troubles might be; was effective as a preventive of sickness; was effective to regulate the bowels; was effective as a treatment, remedy, and cure for colic or acute indigestion, severe pains in the stomach, fretfulness and restlessness in babies, and to insure refreshing sleep to babies; and was effective as a treatment, remedy, and cure for eczema, indigestion, female trouble, bad coughs, sore chests, gallstones, stomach trouble, pellagra, and blood boils.

On May 18, 1936, a plea of nolo contendere was entered on behalf of the defendant corporation, and the court imposed a fine of \$100.

M. L. WILSON,
Acting Secretary of Agriculture.

26478. Misbranding of Codi's Red Star. U. S. v. 216 Bottles of Codi's Red Star. Default decree of condemnation and destruction. (F. & D. nos. 35538, 35539. Sample nos. 35592-B, 35593-B.)

These cases involved interstate shipments of Codi's Red Star the label of which bore a false and misleading representation as to its antiseptic properties as a mouth wash, and a false and fraudulent representation regarding its curative or therapeutic effect with respect to pyorrhea.

On June 1, 1935, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 216 bottles of Codi's Red Star at Logan, W. Va., alleging that the article had been shipped in interstate commerce on or about August 31 and December 15, 1934, by the Codi Laboratories from Pittsburgh, Pa., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of sodium hypochlorite (one lot contained not more than 2.91 percent, and the other, not more than 4.11 percent), sodium chloride, sodium hydroxide, sodium carbonate, and water.

The article was alleged to be misbranded in that the statement, "6 drops Red Star to half glass water provides an antiseptic mouth wash", borne on the label, was false and misleading since the article, when used as directed, would not provide an antiseptic mouth wash. The article was alleged to be misbranded further in that the statement regarding the curative or therapeutic effect of the article, "Tends to prevent and relieve pyorrhea", borne on the label, falsely and fraudulently represented that the article was effective in the treatment or the prevention of pyorrhea.

On May 18, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the article be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.

26479. Adulteration and misbranding of tincture of aconite. U. S. v. Mutual Pharmacal Co. Plea of guilty. Fine, \$25. (F. & D. no. 35894. Sample no. 29617-B.)

This case involved an interstate shipment of an article, described as "Tincture Aconite", the potency of which was found to be less than 23 percent of the minimum requirement prescribed for tincture of aconite in the United States Pharmacopoeia.

On October 21, 1935, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Mutual Pharmacal Co., a corporation, Syracuse, N. Y., charging shipment by said corporation in violation of the Food and Drugs Act, on or about December 29, 1934, from the State of New York into the State of Pennsylvania of a quantity of an article labeled, "Tincture Aconite (U. S. P.)", that was adulterated.

The article was alleged to be adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia and differed from the